

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Administrative Office	(2) MEETING DATE 10/14/2014	(3) CONTACT/PHONE Lisa Howe/781-5011	
(4) SUBJECT Update on Federal and State water legislation. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board receive and file the update on Federal and State water legislation. All Districts.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT { } Consent { } Presentation { } Hearing (Time Est. ____) {X} Board Business (Time Est. <u>60 Minutes</u>)			
(11) EXECUTED DOCUMENTS { } Resolutions { } Contracts { } Ordinances {X} N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: { } 4/5 Vote Required {X} N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY {X} N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Guy Savage			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Administrative Office / Lisa Howe/781-5011

DATE: 10/14/2014

SUBJECT: Update on Federal and State water legislation. All Districts.

RECOMMENDATION

It is recommended that the Board receive and file the update on Federal and State water legislation. All Districts.

DISCUSSION

Background

The current year is proving to be an active year in water legislation. This item will include a presentation by Mike Miller, the Ferguson Group, on Federal legislative activities, a presentation by Paul Yoder, Shaw/Yoder/Antwih, Inc., on State legislative activities, and a presentation by County Counsel on the local impacts of the current groundwater legislation.

There are a number of water related bills currently before Congress. Attachment 1 provides a chart of current pending federal legislation regarding the western drought and attachment 2 provides a brief history of how Congress has responded with funding to national disasters in the past. A more detailed discussion of pending legislation will be provided as part of the presentation.

During the 2013-14 State Legislative session, several bills were passed regarding groundwater resources in California. On September 16, 2014, Governor Brown signed a package of three bills to strengthen local management and monitoring of groundwater basins. On the same day the Governor signed Assembly Bill 2453 (Achadjian) which provides for the establishment of the Paso Robles Basin Water District. The legislation follows more than a year of action to strengthen California's water system. Last December, the Governor formed a Drought Task Force to manage water supplies, to expand water conservation wherever possible and to quickly respond to emerging drought impacts throughout the state. In January, the administration finalized a comprehensive Water Action Plan, laying out goals and vision for the next five years. During that same month, the Governor declared a drought state of emergency and in April 2014, called on all Californians to redouble their efforts at combating drought. In August, the Governor signed legislation to put a water bond before voters this November.

This report provides a brief summary of current state water legislation. Supplemental information and analysis of the local impacts of this legislation is provided as attachments 3 and 4. In addition, a more detailed discussion of current and proposed legislation will be provided as part of the presentation.

State Legislation

Proposition 1 - Water Quality, Supply and Infrastructure Improvement Act of 2014

On August 13, 2014, Governor Brown signed legislation to put a comprehensive water bond before the voters this November. California Proposition 1, the Water Bond, upon voter approval, would enact the Water Quality, Supply, and Infrastructure Improvement Act of 2014. The legislation replaces the \$11.1 billion water bond that was previously on November ballot. The new bond includes \$7.12 billion in new debt, plus the repurposing of existing unspent bond funds of

\$425 million for a total of \$7.545 billion. The measure would provide funding for state water supply infrastructure projects, such as surface and groundwater storage; ecosystem and watershed protection and restoration; drinking water protection; water supply management; water recycling and advanced water treatment technology; and flood control.

The full bill text can be found at the following link:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1471

Sustainable Groundwater Management Act of 2014

On September 16, 2014, Governor Brown signed a package of three bills to advance sustainable groundwater management in California, to be effective on January 1, 2015. The legislation, known as the Sustainable Groundwater Management Act (Act), provides a framework for improved management of groundwater by local authorities. The bills are SB 1168 (Pavley), SB 1319 (Pavley), and AB 1739 (Dickinson).

The Act provides local agencies with the tools to manage groundwater basins in a sustainable manner over the long-term and allows for limited state intervention when necessary to protect groundwater resources. More specifically, it establishes a definition of sustainable groundwater management, provides local agencies the ability to develop plans and implement strategies to sustainably manage groundwater resources, prioritizes basins with the greatest problems (ranked as high and medium priority), and sets a timeline for implementation.

The full text of the bills can be found at the following web addresses:

SB 1168 (Pavley)

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1168

SB 1319 (Pavley)

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140SB1319

AB 1739 (Dickinson)

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1739

Assembly Bill 2453

In addition to the groundwater legislation, on September 16, 2014, the Governor signed Assembly Bill 2453 (Achadjian) which provides for the establishment of the Paso Robles Basin Water District.

Assembly Bill 2453 permits, on or before January 1, 2019, for the formation of the Paso Robles Basin Water District, and sets forth the composition of, and method of election by landowners and registered voters for, the board of directors for the Paso Robles Basin Water District, the boundaries of which would be established and may be modified by the San Luis Obispo County Local Agency Formation Commission.

The full bill text can be found at the following web address:

AB 2453 (Achadjian)

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB2453

Bay Delta Conservation Plan

Recently, the United States Environmental Protection Agency (EPA) critiqued the Bay Delta Conservation Plan (BDCP), delaying progress. The BDCP is a part of California's overall water management portfolio. It is being developed as a 50-year habitat conservation plan with the goals of restoring the Sacramento-San Joaquin Delta ecosystem and securing California water supplies. In late August, it was announced that the Department of Water Resources and the other state and federal agencies leading the BDCP will publish a Recirculated Draft BDCP, Environmental Impact Report/Environmental Impact Statement (EIR/EIS), and Implementing Agreement (IA) in early 2015. The agencies are currently reviewing the comments received through the public comment period that ended on July 29, 2014. The scope of the partially recirculated draft documents will be announced in the coming weeks. The recirculated documents will include those portions of each document that warrant another public review prior to publication of final documents. The public will also have the opportunity to review the final documents prior to their adoption and any decisions about the proposed actions.

OTHER AGENCY INVOLVEMENT/IMPACT

County departments that were consulted for this overview include: the Administrative Office, County Counsel, the Department of Public Works, and the Planning and Building Department.

The County's Federal and State Lobbyist were consulted and provided the accompanying attached information.

FINANCIAL CONSIDERATIONS

There is no cost associated with this action. This briefing report was prepared using existing staffing resources.

RESULTS

This report will provide an update on current Federal and State water legislation.

ATTACHMENTS

1. Western Drought Pending Federal Legislation – 2014
2. Three Natural Disasters – Initial Congressional Response
3. State Legislative Advocates Memorandum – 2014 Water Legislation
4. County Counsel Memorandum – California Groundwater Legislation